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IN THE COURT OF APPEAL OF THE STATE OF CALIFORNIA

FIRST APPELLATE DISTRICT

DIVISION THREE

THE PEOPLE,

Plaintiff and Respondent,

v.

JOSHUA ROBERT LOCKE,

Defendant and Appellant.

A139692

(Sonoma County
Super. Ct. No. SCR 471784)

Joshua Robert Locke appeals from a judgment and the imposition of a suspended sentence following his violation of the terms of his probation. His court-appointed counsel has filed a brief seeking our independent review of the record pursuant to *People v. Wende* (1979) 25 Cal.3d 436 to determine whether there are any arguable issues on appeal. We conclude there are no issues requiring further review and affirm.

BACKGROUND

In June 2006, Locke entered a no contest plea to a single count of robbery of an inhabited dwelling as specified in California Penal Code sections 211 and 213. The court imposed a sentence of six years in state prison, but suspended execution of the sentence subject to Locke's successful completion of three years' probation. In June 2009, it was reported that Locke had absconded. His probation was summarily revoked and a bench warrant issued. A supplemental violation report was filed in July 2010 when Locke was arrested on felony drug and ammunition charges. In August 2010, Locke admitted the allegations of the supplemental violation report. The following month, the court imposed the previously suspended six year sentence for robbery. After some discussion, the court

determined that Locke was in custody for 444 days attributable to his 2006 conviction and awarded the actual time in custody plus 66 days of conduct credit for total pre-sentence credits of 510 days.

DISCUSSION

Based upon our review of the record, we have no reason to question the sufficiency of the court's advisements, Locke's waivers or the explanation of the consequences of his plea. His plea appears to be free, knowing and voluntary. Following Locke's admission of violation of probation, the court imposed the previously suspended midterm six-year sentence for robbery of an inhabited dwelling. Probation was properly revoked. In light of Locke's conviction for a violent felony as defined in Penal Code section 667.5, his pre-sentence conduct credits were properly limited under section 2933.1 to 15 percent of his actual time in custody. Fines were properly assessed and imposed.

Locke's counsel has represented that he advised Locke of his intention to file a *Wende* brief in this case and of Locke's right to submit supplemental written argument on his own behalf. He has not done so. Locke has also been advised of his right to request that counsel be relieved.

There was no error. Our full review of the record reveals no issue that requires further briefing.

DISPOSITION

The judgment is affirmed.

Siggins, J.

We concur:

Pollak, Acting, P.J.

Jenkins, J.